REMARKS

Claims 1-26 were pending in the application. Claims 2, 3, 11, 12, 25, and 26 have been cancelled without prejudice. Claims 1 and 10 have been amended, and "A Version with Markings to Show Changes Made" is presented in Appendix A. Support for the amendments to the claims can be found throughout the specification and claims as originally filed. For example, support for the amendments to claims 1 and 10 can be found at least at page 2, lines 25-28 of the specification. Accordingly, no new matter has been added.

Upon entry of the amendment claims 1, 4-10, and 13-24 will be pending. Any amendments to and/or cancellation of the claims should in no way be construed as acquiescence to any of the rejections and was done solely to expedite the prosecution of the application. Applicants reserve the right to pursue the same or similar claims in this or a separate application(s). For the Examiner's convenience all of the pending claims are set forth in Appendix B.

Rejection of Claims 1-26 Under 35 U.S.C. § 112, First Paragraph

Claims 1-26 were rejected under 35 U.S.C. § 112, first paragraph because, "the specification, while being enabling for a method of detecting abnormal cell growth in a tissue samples by measuring protein levels, does not reasonably provide enablement for [a] method of detecting cell growth in any test sample by measuring protein or nucleic acid levels."

Applicants respectfully traverse this rejection. However, in the interest of expediting prosecution, Applicants have cancelled claims directed toward methods of evaluating abnormal cell growth using nucleic acid levels, and amended the remaining claims so that they are now directed to methods of using Pin1 polypeptide to detect abnormal cell growth. Applicants specifically reserve the right to pursue the cancelled claims or similar claims in a separate application(s).

In view of the foregoing claim amendments and cancellations this rejection is rendered moot. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

SUMMARY

If a telephone conversation with Applicants' attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Elizabeth A. Hanley, Esq.
Reg. No. 33, 505
For
Cynthia L. Kanik, Ph.D.
Reg. No. 37,320
Attorney for Applicants

28 State Street
Boston, MA 02109
Tel. (617) 227-7400
Dated: **January 2, 2003**

APPENDIX A

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims

Claims 1 and 10 have been amended as follows:

1. (Amended) A method of detecting abnormal cell growth in a mammal, comprising
assessing the level of Pin1 polypeptide in a test sample from the mammal, wherein an elevation in the levels of Pin1 polypeptide in said mammal when compared to a control sample is indicative of abnormal cell growth.

10. (Amended) A method of detecting abnormal cell growth in a mammal, comprising the steps of:

(a) detecting a level of Pin1 polypeptide in a test sample; and

(b) comparing the level of Pin1 in the test sample with a control sample and wherein a difference in the level of Pin1 polypeptide in the test sample when compared to a control sample is indicative of abnormal cell growth in the mammal.

APPENDIX B

PENDING CLAIMS

1. (Amended) A method of detecting abnormal cell growth in a mammal, comprising
assessing the level of Pin1 in a test sample from the mammal, wherein an elevation in the levels of Pin1 in said mammal when compared to a control sample is indicative of abnormal cell growth.

4. The method of claim 1, wherein the test sample is an epithelial cell test sample.

5. The method of claim 1, wherein the test sample is a body fluid test sample selected from the group consisting of a blood, ascites, or brain body fluid test sample.

6. The method of claim 1, wherein the abnormal cell growth is benign.

7. The method of claim 1, wherein the abnormal cell growth is a malignant cancer.

8. The method of claim 7, wherein the cancer selected from the group consisting of breast, ovarian, prostatic, cervical, skin, digestive track or testicular cancer.

9. The method of claim 7, wherein the cancer is colon cancer.

10. A method of detecting abnormal cell growth in a mammal, comprising the steps of:

(a) detecting a level of Pin1 in a test sample; and

(b) comparing the level of Pin1 in the test sample with a control sample and wherein a difference in the level of Pin1 in the test sample when compared to a control sample is indicative of abnormal cell growth in the mammal.

13. The method claim 10, wherein the abnormal cell growth is a malignant cancer.

14. The method claim 13, wherein the cancer is selected from the group consisting of breast, ovarian, prostatic, cervical, skin, digestive track, lung, kidney, liver or testicular cancer.

15. The method of claim 13, wherein the cancer is colon cancer.

16. A method of detecting abnormal cell growth in a mammal by assessing the level of Pin1 protein in a test sample from the mammal, comprising the steps of:

(a) contacting the test sample with an antibody having specificity for Pin1 under conditions suitable for binding of the antibody to Pin1 thereby resulting in the formation of a complex between the antibody and Pin1;

(b) detecting the complex between the antibody and Pin1; and

(c) comparing the amount of the complex in the test sample with an amount of a complex in a control sample,

wherein an elevation in the amount of the complex between the antibody and Pin1 in the test sample compared to the complex in the control sample is indicative of abnormal cell growth.

17. The method of claim 16, wherein the antibody is a polyclonal antibody.

18. The method of claim 16, wherein the antibody is a monoclonal antibody.

19. The method of claim 16, wherein the abnormal cell growth is a malignant cancer.

20. The method of claim 19, wherein the cancer is selected from the group consisting of breast, ovarian, prostatic, cervical, skin, digestive track, lung, kidney, liver or testicular cancer.

21. The method of claim 19, wherein the cancer is colon cancer.

22. The method of claim 16, wherein the antibody is detectably labeled.

23. The method of claim 22, wherein the detectable label is selected from the group consisting of a radioactive, enzymatic, biotinylated and fluorescent label.

24. The method of claim 23, wherein the complex is detected by incubating the complex with a second antibody specific for the complex, wherein the secondary antibody comprises a detectable label.